

**NOT FOR PUBLICATION**

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

**FILED**

MAR 24 2008

MOLLY DWYER, ACTING CLERK  
U.S. COURT OF APPEALS

CARLOS ANDRES GUERRERO,

Petitioner,

v.

MICHAEL B. MUKASEY, Attorney  
General,

Respondent.

No. 05-77328

Agency No. A92-690-904

MEMORANDUM<sup>\*</sup>

On Petition for Review of an Order of the  
Board of Immigration Appeals

Submitted March 18, 2008<sup>\*\*</sup>

Before: CANBY, T.G. NELSON, and BEA, Circuit Judges.

Carlos Andres Guerrero, a native and citizen of Mexico, petitions pro se for review of the Board of Immigration Appeals' order dismissing his appeal from an immigration judge's removal order. We dismiss the petition for review.

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<sup>\*</sup> This disposition is not appropriate for publication and is not precedent except as provided by 9th Cir. R. 36-3.

<sup>\*\*</sup> The panel unanimously finds this case suitable for decision without oral argument. *See* Fed. R. App. P. 34(a)(2).

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We lack jurisdiction over Guerrero's petition for review because he was convicted of an aggravated felony and does not raise a colorable question of law or constitutional claim. *See* 8 U.S.C. § 1252(a)(2)(C)-(D); *Ocampo-Duran v. Ashcroft*, 254 F.3d 1133, 1134-35 (9th Cir. 2001) (one-year sentence for violation of Cal. Penal Code § 245(a)(1) constituted an aggravated felony).

**PETITION FOR REVIEW DISMISSED.**